

**BOARD OF SUPERVISORS' MEETING**  
**PLANNING AND ZONING AGENDA**  
**February 10, 2021**

**CONSENT AGENDA**

Title: Granite Mountain Ranch Unit 2, Lot 68  
Case #: S2020029  
Supervisor District: 2  
Applicant / Owner: Jim Loftis, Everett Alan Group / Noah S. & Kathrine M. Blechman  
Request: Resolution to re-delineate a drainage easement within Lot 68 of the Granite Mountain Ranch Unit 2 final plat MCR 586-19 in the Rural-43 RUPD zoning district

Staff  
Recommendation: Approval

Title: Storage Surprise  
Case #: Z2018106  
Supervisor District: 4  
Applicant / Owner: Rod Jarvis, Earl & Curley P.C. / Lawrence Hancock  
Request: Rezoning from Rural-43 to C-3 CUPD WHSC zoning district for a commercial outdoor storage and self-storage facility  
Site Location: Generally located approximately 390' southeast of the intersection of 163<sup>rd</sup> Ave. and 162<sup>nd</sup> Dr. in the Surprise area

Commission  
Recommendation: On 1/14/21, the Commission voted 6-0 to recommend **approval** of Z2018106 subject to conditions 'a' – 'j':

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "Z2018106 Surprise Storage – Zoning Exhibit", consisting of 1 full-size sheet dated October 6, 2020, and stamped received October 21, 2020 except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Storage Surprise Narrative Report", consisting of 21 pages, dated October 6, 2020 and stamped received October 21, 2020 except as modified by the following conditions.
- c. The following C-3 CUPD zoning district standards shall apply:
  1. Maximum Height: 33' (Compliance with Wickenburg Highway Scenic Corridor)
  2. Front Yard Setback (west property line): 0'
  3. Side Yard Setback (south property line): 0'
  4. Street-side Yard Setback (north property line): 25', 0' after dedication of Williams Dr. r/w
  5. Rear Yard Setback (east property line): 0'
  6. Maximum Lot Coverage: 75%

7. Screening: 7' – 9' (h) masonry block wall for north, east and west property lines. 7' – 9' (h) CMU to be constructed within the Williams Dr. R/W reservation. Northern 25' on western property line and northern 25' on eastern property line.
  8. Site Enclosure: Storage may occur within the 0' setbacks. Storage products and materials may exceed the height of the enclosure.
  9. Sight visibility triangles: No sight visibility triangles
- d. The following Planning Engineering conditions shall apply:
1. Drainage review of planning and/or zoning cases if for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.
  2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.
  3. All obstructions, including the wall and the pods, shall be removed upon required dedication of the 25-foot Williams Drive half-street right-of-way to MCDOT at the owner's expense.
  4. Drywell shall be installed with at least a 50-foot spacing in order to avoid drywell interference.
  5. A minimum of 33,500 cubic feet of onsite stormwater retention plus a foot of freeboard meeting the Drainage Policies and Standards of Maricopa County is required.
- e. All habitable buildings are subject to noise attenuation as per ARS § 28-8482(B).
- f. Use of the existing 6' (h) block wall along the southern perimeter for self-storage structures shall require a 4 hour fire-rated wall at the property line.
- g. The CUPD overlay is applied to restrict the use of the site. Until such time as the site is served by sewer, uses on the site shall only be those acceptable to the Maricopa County Environmental Services Department (MCESD) that can be accommodated by septic systems. A public water system and public sewer system shall be required prior to establishment of any non-residential use that requires potable water.
- h. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.

- i. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- j. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property owner to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

Title: Thompson Event Center  
Case #: Z2019078  
Supervisor District: 1  
Applicant / Owner: William E. Lally, Tiffany & Bosco, P.A. / WAT Property 1901, LLC  
Request: Zone change from Rural-43 to C-3 CUPD to enable the development of amusement, entertainment, and commercial land uses  
Site Location: Generally located approximately 828' north of the northeast corner of Alma School Rd. and Red Mountain Frwy.  
Commission  
Recommendation: On 1/14/21, the Commission voted 6-0 to recommend **approval** of Z2019078 subject to conditions 'a' – 'k':

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "Thompson Event Center", consisting of one full-size sheet, dated November 6, 2020, and stamped received November 9, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Thompson Event Center", consisting of 11 pages, dated November 6, 2020, and stamped received November 9, 2020, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
  - 1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
  3. Engineering review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies and Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.
  4. The project limits are located within a Special Flood Hazard Area. The FEMA Flood Zones are AE Floodway & Floodplain and X. The Floodway is called Salt River South Split. New development in the watershed is expected to acknowledge and assess their project for compatibility with the Floodway/Floodplain. For more information about the Floodway and Floodplain contact Richard Harris of the District at (602) 506-4528 for specific information about the FEMA Flood Zones.
  5. The applicant must coordinate with the Maricopa County Department of Transportation (MCDOT) to properly access the site. The applicant must coordinate with the MCDOT to dedicate the appropriate Right-of-Way.
  6. Access to the property will need to be established during the Plan of Development.
  7. The Traffic Impact Study will be reviewed at the time of the Plan of Development.
- d. The following Maricopa County Department of Transportation conditions shall apply:
1. If access to the site from Alma School Rd. cannot be negotiated with the Salt River Pima-Maricopa Indian Community then the east access proposed in the Driveway Analysis, dated August 4, 2020, must be improved to meet MCDOT standards. These include, but not limited to, adjusting the access to intersect closer to 90 degrees with Alma School Rd., providing a southbound left turning lane in the raised median. Left turn out from the site onto Alma School Rd. must be restricted by the installation of a curbed median at the east access point (refer to figure 7.2 in the MCDOT Roadway Design Manual).
  2. A traffic control plan must be submitted and approved by MCDOT prior to any large events on the site.

3. Any Plan of Development for off-site signage shall be processed without the need for traffic improvements.
- e. Only the following uses shall be permitted in this CUPD:
1. Churches and houses of worship, including columbarium subject to the conditions listed in Article 803.2(11) of the Zoning Ordinance.
  2. Privately owned or operated stations for fire protection, police or security service, ambulance or other emergency providers.
  3. Private clubs and fraternal organizations.
  4. Marijuana dispensary facilities, subject to the conditions listed in Article 804.2 (45) of the Zoning Ordinance.
  5. Amusement enterprises, outdoor amusement parks, circus, and carnival grounds with permanent facilities.
  6. Auction sales and feed stores with indoor storage.
  7. Dance halls and nightclubs, including outdoor amplified music, except adult oriented facilities.
  8. Drive-in or outdoor theater.
  9. Miniature golf courses, driving ranges, and outdoor racetracks.
  10. Mobile home, travel trailer, and recreation vehicle sales and services.
  11. Permanent facilities for rodeos, auctions, swap meets, campgrounds, and sites rented for private parties.
  12. Commercial storage facilities of mobile homes, manufactured homes, travel trailers, recreation vehicles, boats, and aircraft.
  13. Public or private outdoor recreation uses and facilities, including structures, fields, courts, playgrounds, parks, and nature exhibits.
  14. Spectator sport and music facility, including arenas, riding stables, water based recreational arenas, resort, group camps, auditoriums, concert halls, outdoor amphitheaters, music shells, and other outdoor recreation.
  15. Ancillary uses to the above permitted primary use.
- f. The following C-3 CUPD and commercial signage development standards shall apply:
1. Maximum height for amusement structures, excluding signage, of 140-feet.

2. Minimum front and side yards of zero feet.
  3. Property lines adjacent to rural/residential zoned properties shall not be screened.
  4. Maximum height for freestanding signs of 65-feet, regardless of adjacent zoning districts.
  5. Maximum sign area for freestanding signs of 500 square feet and no required setbacks for freestanding signs.
  6. One freestanding sign oriented and located adjacent to the Red Mountain Frwy. and Alma School Rd. irrespective of proximity of any driveway.
  7. The square footage of any freestanding sign shall not be included in the square footage calculation of the total number of other freestanding signs.
  8. Maximum height for off-site signs of 65-feet.
  9. Maximum sign area for off-site signs of 675 square feet and no required setbacks for off-site signs.
- g. All existing buildings/structures on site shall either be removed or obtain a required commercial construction permits prior to occupancy or establishing a commercial use.
- h. Unless an access agreement can be made with the Salt River Pima-Maricopa Indian Community there shall be no access to the site from Alma School Rd. on land in the jurisdiction of the Salt River Pima-Maricopa Indian Community.
- i. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- j. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- k. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the

property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

## **REGULAR AGENDA**

Title: Symmetry at 56<sup>th</sup> St. & Lone Mountain  
Case #: Z2019136  
Supervisor District: 2  
Applicant / Owners: William E. Lally, Tiffany & Bosco, P.A. / Arnold 56<sup>th</sup> Street Investment Company, LLC, Susan Arnold Demuro, and Alice Opal Arnold  
Request: Zone change from Rural-43 to R1-18 RUPD  
Site Location: Generally located ¼ mile southeast of the southeast corner of Lone Mountain Rd. and 56<sup>th</sup> St. in the Phoenix area  
Commission  
Recommendation: On 1/14/21, the Commission voted 6-0 to recommend **approval** of Z2019136 subject to conditions 'a' – 'o':

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "56<sup>th</sup> St. & Lone Mountain", consisting of 1 full-size sheet, dated December 2020 and stamped received December 27, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "56<sup>th</sup> Street & Lone Mountain", consisting of 20 pages, dated December 14, 2020, and stamped received December 27, 2020, except as modified by the following conditions.
- c. The following R1-18 RUPD standards shall apply:
  1. Max. Height: 30', all homes limited to single story
  2. Min. Front Yard: 20' front loaded garage, 10' side loaded garage or livable area of dwelling unit.
  3. Min. Side Yard: 5'
  4. Min. Street-side Yard: 10'
  5. Min. Rear Yard: 20'
  6. Minimum Lot Area: 10,125 sq. ft.
  7. Minimum Lot Width: 75'
  8. Average Lot Area per Dwelling Unit: 18,081 sq. ft.
  9. Maximum Lot Coverage: 55%
  10. Min. Number of Off-Street Parking Spaces: 2
- d. The total number of residential units shall not exceed 56.
- e. The developer shall provide a 25' open space buffer on the northern perimeter of the property to be maintained by the Homeowners Association.

- f. The developer shall provide a 40' landscape buffer on the north side of the southern perimeter of the property to be maintained by the Homeowners Association.
- g. The developer shall provide a view fence on the southern perimeter of the property.
- h. The following Planning Engineering conditions shall apply:
  - 1. The development of the site will pose significant challenges with respect to storm water management. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
  - 2. A traffic impact study must be submitted with any future entitlement application (i.e. preliminary plat).
  - 3. Dedication of right-of-way along 56<sup>th</sup> Street (section) and Montgomery Road (mid-section) will be required as part of future entitlement (i.e. final plat), unless otherwise waived by MCDOT.
  - 4. If required for site development, the CLOMR application must be submitted to the Flood Control District prior to or concurrent with any future entitlement application (i.e. preliminary plat).
  - 5. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
- i. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years within which time the initial subdivision infrastructure permit or construction permit must be obtained. The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2019136 which details the status of this project, including progress on obtaining subdivision infrastructure and/or construction permits. The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of the initial subdivision infrastructure and/or construction permits for each zoning parcel (R1-18 RUPD).
- j. Prior to approval of the initial final plat, the applicant shall provide the Maricopa County Planning and Development Department with the approved Intergovernmental Agreement between the Cities of Phoenix and Scottsdale that is referenced in the February 26, 2020 letter issued by Brian K. Biesmeyer, Executive Director of Scottsdale Water, or other document acceptable to Maricopa County which assures sewer service.



- k. Prior to initial final plat approval, the applicant shall provide the Maricopa County Planning and Development Department with a 'will serve' letter from the City of Scottsdale or City of Phoenix for water service, or other document acceptable to Maricopa County which assures water service.
- l. Noncompliance with any condition herein or Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- m. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- n. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- o. Access shall be limited to emergency access only on Wildcat Dr.